

STATE BOARD OF EDUCATION

STATE OF GEORGIA

K. G.,	:	
	:	
Appellant,	:	
	:	
vs.	:	CASE NO. 2006-08
	:	
HOUSTON COUNTY	:	
BOARD OF EDUCATION,	:	
	:	
Appellee.	:	DECISION

This is an appeal by K. G. (Student) from a decision by the Houston County Board of Education (Local Board) to uphold the decision of a student disciplinary tribunal to expel him through the end of the first semester of the 2005-2006 school year after finding him guilty of making a terroristic threat. The Student claims that there is no evidence to support the Local Board’s decision. The Local Board’s decision is sustained.

On or about April 13, 2005, the Student, an eighth-grade student, was asked by another student to write seven notes that all said, “You will die in 7 days.” The other student put the notes in the lockers of some other students. At least one of the students who found a note in her locker became upset and reported that she had found the note in her locker. During the investigation of the incident, the Student was implicated and, upon questioning, admitted that he had written the notes. Additionally, the Student admitted that he thought the other student was going to give the notes to another student. The Student was charged with making a terroristic threat.

A student disciplinary tribunal found the Student guilty of the charge and assigned him to in-school suspension for the remainder of the 2004-2005 school year and expelled him during the first semester of the 2005-2006 school year. The Local Board upheld the tribunal’s decision when the Student appealed. The Student then filed an appeal with the State Board of Education.

The Local Board’s policy defines terroristic threat as a threat “to commit any crime of violence,” or “causing serious school inconvenience in reckless disregard of the risk of causing such terror or inconvenience...” The Student claims that there was no evidence that he threatened anyone. “A threat requires some overt action or statement by one person that is directed against another person and causes the other person to feel apprehensive.” *J. P. v. Houston Cnty. Bd. of Educ.*, Case No. 2000-25 (Ga. SBE, Aug. 10, 2000). The record shows that the Student wrote the notes and was aware that his friend was going to pass them on to someone else. The Student’s actions, therefore, were overt, he knew they were to be directed against another person, and he should have known that

the person receiving such a note would feel apprehensive. The State Board of Education, therefore, concludes that there was evidence that the Student committed a terroristic threat.

Based upon the foregoing, it is the opinion of the State Board of Education that there was evidence to support the Local Board's decision. Accordingly, the Local Board's decision is
SUSTAINED.

This _____ day of October 2005.

Wanda T. Barrs
Chair, State Board of Education